

Appl. No. 10/633,136
Response Dated August 14, 2007
Reply to Office Action of May 14, 2007

Docket No.: 18098
Examiner: Lu, Jia
TC/A.U. 2611

Amendments to the Drawings:

The attached new drawing sheet includes a new figure, Figure 7.

Attachment: New Sheet

REMARKS

Figures

In response to the objection to the drawings, Applicant has added Figure 7. Applicant respectfully submits that no new matter has been added. Support for Figure 7 can be found in the specification at least at paragraphs [007]-[008]. Furthermore, Applicant has added paragraphs [0061.1] and [0061.2] that further describe Figure 7. No new matter has been added. Applicant respectfully submits that the figures show every feature of the invention specified in the claims. Therefore, withdrawal of the objection to the drawings is respectfully requested.

Summary

Claims 1-3, 5-8, 10-19, 21-23, 25-32, 34 and 35 stand in this application. Claims 4, 9, 20, 24 and 33 have been canceled. Claims 2, 5-7, 10, 13-15, 18, 22, 25, 28-31, 34 and 35 have been amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

Although Applicant disagrees with the broad grounds of rejection set forth in the Office Action, Applicant has amended claims 2, 5-7, 10, 13-15, 18, 22, 25, 28-31, 34 and 35 in order to facilitate prosecution on the merits. Applicant submits that the amendments merely clarify, either expressly or impliedly, what was already present in the claims.

Allowable Claims

We would like to thank the Examiner for indicating the allowability of claims 1-3, 5-8, 10-12, 17-19, 21-23, 25-27 and 30-32 if amended to overcome the objections set forth in the Office Action and claims 13-16, 28, 29, 34 and 35 if amended to overcome the rejections set forth in the Office Action. Based on the above amendments and the following remarks, Applicant respectfully submits that the above recited claims are in condition for allowance. As such, a timely notice of allowance is respectfully requested.

Claim Objections

Claims 1-3, 5-8, 10-19, 21-23, 25-32, 34 and 35 stand objected to because of claim informalities. Applicant respectfully traverses the rejection based on the above amendments. These claims have been amended in accordance with the Office Action, and removal of this rejection is respectfully requested.

With respect to claims 1 and 17, the Office Action states that “a goal is set forth in the preamble to determining a transfer function for emphasizing a portion of an electromagnetic wave signal prior to being processed. However, the body of the claim does not include any limitations directed towards using a determined transfer function for emphasizing a portion of an electromagnetic wave signal prior to being processed.” Applicant respectfully disagrees.

Applicant respectfully submits that the language contained in the preamble does not create a goal for the claim as alleged in the Office Action and that the preamble does not constitute a limitation of the claim. Furthermore, Applicant respectfully submits that language contained in the preamble is supported by the limitations of claim 1. For

example, “emphasizing a portion of an electromagnetic signal prior to being processed” as recited in the preamble corresponds to the limitation “transforming any unstable poles and/or zeros in said pre-emphasis transfer function...” Applicant respectfully submits that emphasizing prior to processing and pre-emphasis are synonymous. Therefore, Applicant respectfully requests withdraw of the objection to claim 1.

With respect to claims 2, 7, 18, 22 and 31, the limitation “the” has been deleted in both occurrences from line 3 as requested in the Office Action.

With respect to claims 2, 5, 7, 10, 15, 18, 22, 25, 28, 31 and 34, the “one or more” language has been removed from the claims as requested in the Office Action.

With respect to claim 6, the language “transformed input signal” has been added as requested in the Office Action.

With respect to claim 28, the language “a said” has been replaced with “said” and the second occurrence of “further comprises” has been removed as requested in the Office Action.

With respect to claim 30, the language “transformed by said filter” has been added as requested in the Office Action.

With respect to claim 34, Applicant respectfully submits that the language “said output circuit further comprises a combining circuit for combining the output from each of said segments to said output signal” is correct as written. Applicant respectfully submits that the combining circuit combines the output of the segments with the output signal. Therefore, Applicant respectfully submits that the limitation “provide,” as requested by the Office Action, is not required.

Based on the above amendments and remarks, Applicant respectfully requests withdrawal of the objections with respect to claims 1-3, 5-8, 10-19, 21-23, 25-32, 34 and 35.

35 U.S.C. § 112

Claims 13-16, 28, 29, 34 and 35 have been rejected under 35 U.S.C. § 112 for not particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention. Applicant respectfully traverses the rejection based on the above amendments. These claims have been amended in accordance with the Office Action, and removal of this rejection is respectfully requested.

Comments on Examiner's Response to Arguments

Applicant acknowledges with appreciation the Examiner's indication that Applicant's previously filed arguments were persuasive and that the cited art fails to teach each and every limitation of the above recited claims.

Conclusion

It is believed that claims 1-3, 5-8, 10-12, 17-19, 21-23, 25-27 and 30-32 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

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The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

KACVINSKY LLC

/John F. Kacvinsky/

John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

Dated: August 14, 2007

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